

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

10 DAVID L. COLLINS,)
11)
12 Plaintiff,) 2:10-cv-01458-PMP-LRL
13 vs.)
14) **ORDER**
15 PEOPLE OF THE STATE OF NEVADA,)
16 Defendant.) /

On August 30, 2010, the court received a handwritten document from plaintiff entitled "Motion for Restoration of Liberty" (docket #1-1). Such document is insufficient to initiate a civil rights action in this court. The Local Rules require plaintiffs appearing in *pro se*, such as this plaintiff, to file all of their complaints and petitions on the court's approved forms. LSR 2-1("[a] civil rights complaint filed by a person who is not represented by counsel shall be on the form provided by this court."). Accordingly, the Clerk shall not file this document.

1 907 F.2d 874 (9th Cir. 1990), *cert. denied* 11 S.Ct. 1090 (1991). Moreover, when seeking damages for
2 an allegedly unconstitutional conviction or imprisonment, “a § 1983 plaintiff must prove that the
3 conviction or sentence has been reversed on direct appeal, expunged by executive order, declared invalid
4 by a state tribunal authorized to make such determination, or called into question by a federal court’s
5 issuance of a writ of habeas corpus, 28 U.S.C. § 2254.” *Heck v. Humphrey*, 512 U.S. 477, 487-88
6 (1994). “A claim for damages bearing that relationship to a conviction or sentence that has not been so
7 invalidated is not cognizable under § 1983.” *Id.* at 488.

8 **IT IS THEREFORE ORDERED** that the Clerk **SHALL SEND** to plaintiff the
9 approved forms for filing a civil rights lawsuits under 42 U.S.C. §1983. Within **thirty (30)** days from
10 the date of entry of this order, plaintiff **SHALL FILE** a completed and signed complaint. Plaintiff’s
11 failure to do so may result in the immediate dismissal of the entire action.

12 **IT IS FURTHER ORDERED** that the Clerk shall send to plaintiff a blank petition for
13 writ of *habeas corpus* form with instructions.

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15 DATED this 25th day of October, 2010.
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18 UNITED STATES MAGISTRATE JUDGE
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